



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
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LESLIE A. NEWMAN
COMMISSIONER

September 2, 2008

I want to thank your Director for the opportunity to address you. This has been a busy year in the State Fire Marshal's Office and I wanted to update you on some exciting news. I am pleased to announce that on September 1, Jim Pillow, previously the Codes Director for the City of Clarksville, started as the Assistant Commissioner for Fire Prevention with the Department. Mr. Pillow has an extensive background in both building and fire code enforcement and is considered by his peers to be an outstanding manager and advocate for public safety. We know you will want to take the opportunity to meet Jim and he will also be reaching out to your associations to continue the open communication between the Fire Marshal's Office and the constituents it serves.

The Department is finalizing the update of the state building, electrical, mechanical and fire codes. The International Building Code, 2006 edition, replaced the 1999 edition of the Standard Building Code as the state building code on September 1, 2008. The Department is in the process of adopting the 2008 edition of the National Electrical Code and it should become effective around the end of the year. The Department currently enforces the 2002 edition of the National Electrical Code. On July 30, a public hearing was held on adoption of a state fire code. The Department plans to have the 2006 International Fire Code and the Life Safety Code, (NFPA 101-2006) Codes in effect before December 20 when the emergency rules allowing plans to be submitted and reviewed under the International Fire Code, 2006 edition and the Life Safety Code, (NFPA 101-2006), 2006 edition, in addition to the Uniform Fire Code (NFPA 1), 2003 edition, expire.

The Fire Marshal's office continues to move forward with its plans to implement electronic plans submissions. The Office is looking at software used by other communities to determine the program that would work best and is beginning to purchase larger monitors and other equipment that will facilitate electronic review. We hope to be able to offer electronic plans submission, review and monitoring in 2009.

I also wanted to bring to your attention a common issue faced by the State Fire Marshal's Office--plans not being submitted when they are required. As I am sure you are aware, failure to submit plans to our Office can result in a significant delay in and added expense to a project.

As a reminder, plans for *construction* of the following types of occupancies must be submitted for review:

1. All state owned and state leased facilities;
2. All facilities requiring a State Fire Marshal inspection for initial licensure requirements by other state departments or agencies;
3. All education occupancies (K-12), public and private;
4. All day-care centers including adult day-care;
5. All detention and correctional facilities;
6. All places of assembly having an aggregate capacity of 300 or more persons;
7. All business occupancies and residential occupancies three stories or more;
8. All two-story residential occupancies having twelve units or more;
9. All covered mall occupancies; and
10. All high hazard industrial occupancies (H-1 and H-2 per 2006 IBC definition).

Construction has a very specific definition and is defined as the erection of a new building, an addition to an existing building, a change of occupancy, an alteration that alters the exit arrangement, fire resistive assemblies, or type of construction, or involves the installation of fire suppression or detection systems or fuel-fired equipment. Excavation and site preparation are not considered construction.

Complicating the issue of whether plans must be submitted is that there are thirty-four (34) local jurisdictions that are authorized to perform plans review and inspections for the State Fire Marshal's Office. These jurisdictions are:

Alcoa, Athens, Bartlett, Brentwood, Bristol, Chattanooga, Clarksville, Collierville, Columbia, Cookeville, Dyersburg, Farragut, Franklin, Gatlinburg, Goodlettsville, Hendersonville, Jackson, Johnson City, Kingsport, Knox County, Knoxville, Lebanon, Madison County, Maryville, Memphis/Shelby County, Millington, Montgomery County, Murfreesboro, Nashville/Davidson County (Oak Hill, Belle Meade, Forest Hills, Berry Hill, and Lakewood not included), Oak Ridge, Paris, Pigeon Forge, Sevierville, and White House.

However, an exception to this delegated authority exists for certain occupancies. **State Fire Marshal's Office approval is still required prior to any construction for all state owned and leased facilities, all facilities requiring a State Fire Marshal's Office inspection for initial licensure, all educational occupancies (K-12), whether public or private, and all day care centers (including adult day-care) licensed by the Department of Human Services.**

I appreciate all you do for the State of Tennessee. If you have any questions about plans review or other Codes issues, please feel free to contact the Codes Enforcement Section at (615) 741-7190.

Sincerely,



Leslie A. Newman
Commissioner